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14-26-02

Section 107
#3

Express Mail No. EL809717546US
Attorney Docket No. 11612.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kevin A. Himmel et al.

Appn No.: 10/062,214

Filed: February 1, 2002

For: COMPILATION OF ELECTRONIC CONTENT
RELATING TO USE OF AN ON-LINE
EDUCATIONAL SYSTEM

Examiner: not yet assigned

Art Unit: 3713

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

I hereby certify that this

1. Certificate of Mailing by "Express Mail" (37 CFR 1.10),
2. Response to Notice to File Missing Parts of Application, Filing Date Granted (PTO-1533) (Small Entity);
3. Declaration and Power of Attorney For Patent Application (4 pages);
4. 3 sheets of informal drawings for Figures 2I, 2J, and 2K;
5. 63 sheets of informal drawings;
6. Notice to File Missing Parts of Nonprovisional Application;
7. Preliminary Amendment;
8. Information Disclosure Statement;
9. Form PTO-1449 Information Disclosure Citation;
10. Copies of 34 references;
11. \$65.00 check for surcharge; and
12. postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231, on April 25, 2002.

Jane Lalis

(Typed or Printed Name of Person Mailing Correspondence)

Jane Lalis

(Signature of Person Mailing Correspondence)

EL809717546US

("Express Mail" Mailing Label Number)

BEST AVAILABLE COPY

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
11612.02

In Re Application Of: **Kevin A. Himmel; Robert S. Newkirk**

Serial No.
10/062,214

Filing Date
February 1, 2002

Examiner
not yet assigned

Group Art Unit
3713

Invention: **COMPILATION OF ELECTRONIC CONTENT RELATING TO USE OF AN ON-LINE
EDUCATIONAL SYSTEM**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
February 27, 2002
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ _____ verified small entity declaration(s)
 - ☐ is/are attached.
 - ☐ was/were filed on _____
- ☐ A separate request for refund.
- ☒ Other (list):

Figures 2I, 2J, and 2K (incorporated by reference from related applications)

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.
11612.02

In Re Application Of: **Kevin A. Himmel; Robert S. Newkirk**

Serial No.
10/062,214

Filing Date
February 1, 2002

Examiner
not yet assigned

Group Art Unit
3713

Invention: **COMPILATION OF ELECTRONIC CONTENT RELATING TO USE OF AN ON-LINE
EDUCATIONAL SYSTEM**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

☐ Completion of application fees as calculated below:

☐ Utility application filing fee _____

☐ Design application filing fee _____

☐ Total number of independent claims = _____

☐ Total number of claims = _____

☐ Multiple dependent claims _____

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor _____

☐ Fee for processing an application filed with a non-English language specification _____

☐ Fee for processing and retention of application _____

Total completion of application fees _____

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

from: _____ until: _____
Date Date

Total time extension fees _____

Total fees due _____

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
11612.02

In Re Application Of: **Kevin A. Himmel; Robert S. Newkirk**

Serial No.
10/062,214

Filing Date
February 1, 2002

Examiner
not yet assigned

Group Art Unit
3713

Invention: **COMPILATION OF ELECTRONIC CONTENT RELATING TO USE OF AN ON-LINE
EDUCATIONAL SYSTEM**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Attention: Manager, Application Branch

The fee of \$65.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 04-1415
A duplicate copy of this sheet is enclosed.
☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 04-1415
A duplicate copy of this sheet is enclosed.


Signature

Dated: April 25, 2002

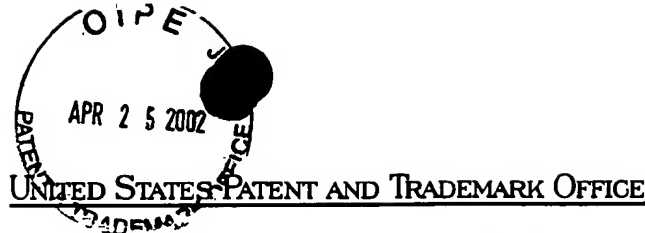
Lance L. Vietzke
Attorney Reg. No. 36,708
Customer No. 20686

I certify that this document and fee is being deposited
on with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/062,214	02/01/2002	Kevin Himmel	11612.02

CONFIRMATION NO. 1925

FORMALITIES LETTER



OC00000007541015

20686
DORSEY & WHITNEY, LLP
SUITE 4700
370 SEVENTEENTH STREET
DENVER, CO 80202-5647

Date Mailed: 02/27/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) Fig. 2I,2J,2K described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

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65.00 OP

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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